

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2003-726

January 27, 2004

METRO TELECONNECT COMPANIES, INC.  
Petition to expand its Certificate of Public  
Convenience And Necessity to Amend  
Certificate to Include Facilities-Based  
Local Exchange Services and Resold  
Interexchange Services

ORDER GRANTING AUTHORITY  
TO PROVIDE FACILITIES-BASED  
LOCAL EXCHANGE SERVICE AND  
RESOLD INTEREXCHANGE SERVICE

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WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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In this Order, the Commission grants Metro Teleconnect Companies, Inc., ("Metro") the authority to provide UNE-P, facilities-based competitive local exchange service in the service area of Verizon-Maine and resold interexchange telecommunications services within the State of Maine.

**I. APPROVAL OF APPLICATION TO SERVE**

On October 1, 2003, pursuant to 35-A M.R.S.A. §§ 2102 and 2105, Metro filed a petition with the Commission requesting authority to provide UNE-P facilities-based local exchange telephone service and resold interexchange service in Maine. In Docket No. 2001-65, Metro has previously obtained authority from the Commission to provide resold local exchange service.

**A. Facilities-Based Local Service**

Metro specified that it will provide only UNE-P facilities-based local exchange service. As a UNE-P provider, Metro will not need to obtain its own numbering resources. If Metro wishes to expand its facilities-based authority to include services requiring Metro to obtain its own numbering resources, it shall seek approval pursuant to 35-A M.R.S.A. §2102, requesting the Commission to amend this Order. Any such request must specify the specific exchanges where it proposes to offer service and include information establishing a readiness to provide facilities-based local exchange service within six months in the specifically identified areas.

**B. Interexchange Service**

Metro has requested authority to provide resold interexchange service throughout the state. Our approval of Metro's application to provide interexchange service in Maine is conditioned on the payment of access charges to local exchange carriers (LECs) who have on file with the Commission approved access charge rate schedules.

The Commission has granted authority to Metro to provide interexchange service as a switchless reseller.<sup>1</sup> Switchless resellers do not pay access charges to local exchange carriers. Instead, access charges are paid by an underlying facilities-based interexchange carrier. As a condition of granting authority to a switchless reseller to provide intrastate service in Maine, its underlying facilities-based carrier must also have authority to provide intrastate service in Maine. Metro has stated that Global Crossing via Reunion Communications will be the underlying carrier from which it purchases interexchange services that it resells. Global Crossing is authorized by the Commission to provide intrastate interexchange service and does pay access charges for the intrastate interexchange services it sells to switchless resellers providing interexchange service in Maine. If Metro begins to use another authorized underlying carrier, it shall notify the Commission as required by the ordering paragraphs.

## II. ORDERING PARAGRAPHS

Accordingly, we

1. Grant, pursuant to 35-A M.R.S.A. §§ 2102 and 2105, the request of Metro to provide UNE-P facilities-based competitive local exchange telephone service in the service area(s) of Verizon Maine and resold interexchange telephone service in Maine.

2. Order that Metro's proposed revised terms and conditions and rate schedules (pages 1, 2, 23.1, 24, 25, and the Title page), attached to this Order, shall be effective on the date of this Order; and

3. Order that Metro shall comply with all applicable rules of the Commission.

Dated at Augusta, Maine, this 27<sup>th</sup> day of January, 2004.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR: Welch  
Diamond

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<sup>1</sup>We define switchless resellers as entities which do not own, lease, or control any switching facilities, or private lines, that it will use to provide telecommunication services in Maine. A reseller who owns a switch in another state, and plans to use that switch to switch or carry Maine traffic, is a switched reseller. A reseller who does not own facilities in Maine or any other state, or who owns facilities in another state but does not plan to use that switch to carry Maine traffic, is a switchless reseller.

## Reishus

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.